

1 **10A NCAC 26E .0113 is proposed for amendment as follows:**

2 **10A NCAC 26E .0113 APPLICATION FORMS: CONTENTS: SIGNATURE**

3 (a) Any person required to be registered and not so registered and applying for registration:

- 4 (1) to manufacture or distribute controlled substances, shall apply on Commission for Mental Health,
5 Developmental Disabilities and Substance Abuse Services Form 225;
- 6 (2) to dispense controlled substances listed in Schedules II through V, shall apply on Commission for
7 Mental Health, Developmental Disabilities and Substance Abuse Services Form 224;
- 8 (3) to conduct instructional activities with controlled substances listed in Schedules II through V, shall
9 apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services
10 Form 224;
- 11 (4) to conduct research with controlled substances listed in Schedules II through V other than research
12 described in .0105(a)(6) of this Subchapter, shall apply on Commission for Mental Health,
13 Developmental Disabilities and Substance Abuse Services Form 225 with evidence of federal
14 registration to conduct research with such controlled substances;
- 15 (5) to conduct research with narcotic drugs listed in Schedules II through V, as described in .0105(a)(6) of
16 this Subchapter, shall apply on Commission for Mental Health, Developmental Disabilities and
17 Substance Abuse Services Form 225 with evidence of federal registration to conduct research with
18 such controlled substance;
- 19 (6) to conduct research with controlled substances listed in Schedules I and VI, shall apply on
20 Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 225
21 with evidence of federal registration to conduct research with such controlled substances;
- 22 (7) to conduct instructional activities with controlled substances listed in Schedules I and VI, shall apply
23 as a researcher on Commission for Mental Health, Developmental Disabilities and Substance Abuse
24 Services Form 225 with evidence of federal registration to conduct instructional activities with
25 controlled substances;
- 26 (8) to conduct chemical analysis with controlled substances listed in any schedule, shall apply on
27 Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 225;
28 ~~and~~
- 29 (9) to dispense controlled substances in Schedule III-V for opioid treatment, shall apply on Commission
30 for Mental Health, Developmental Disabilities and Substance Abuse Services Form 224; and
- 31 (10) to provide a commercial detection service shall apply on Commission for Mental Health, Developmental
32 Disabilities and Substance Abuse Services Form 225.

33 (b) Any person registered and applying for re-registration:

- 34 (1) to manufacture or distribute controlled substances, shall apply on Commission for Mental Health,
35 Developmental Disabilities and Substance Abuse Services Form 227;

- (2) to dispense controlled substances in Schedules II through V, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 226;
- (3) to conduct instructional activities with controlled substances listed in Schedules II through VI, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 226;
- (4) to conduct research with controlled substances listed in Schedules II through V other than research described in Rule .0105(a)(6) of this Subchapter, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227;
- (5) to conduct research with narcotic drugs listed in Schedules II through V, as described in Rule .0105(a)(6) of this Subchapter, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227;
- (6) to continue to conduct research with controlled substances listed in Schedules I and VI under one or more approved research protocols, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227;
- (7) to continue to conduct instructional activities with controlled substances listed in Schedules I and VI under one or more approved federal instructional statements, shall apply as a researcher on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227;
- (8) to conduct chemical analysis with controlled substances listed in any schedule, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227;
- (9) to dispense controlled substances in Schedule III-V in opioid treatment, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 226; and
- (10) to provide a commercial detection service, shall apply on Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Form 227.

(c) Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Forms 224 and 225 may be obtained by writing to the Director. Commission for Mental Health, Developmental Disabilities and Substance Abuse Services Forms 226 and 227 will be mailed as applicable to each registered person approximately 60 days before the expiration date of registration; if any registered person does not receive such forms within 45 days before the expiration date of registration, the registered person must promptly give notice of such fact and request such forms by writing to the Director.

(d) Each application for registration to handle any basic class of controlled substance listed in Schedules I (except to conduct chemical analysis with such classes) and VI and each application for registration to manufacture a basic class of controlled substances listed in Schedule II or to conduct research with any narcotic controlled substance listed in Schedule II shall include the Federal Drug Enforcement Administration code number for each class or substance to be covered by such registration.

(e) Each application shall include all information called for in the form unless the item is not applicable, in which case this fact shall be indicated.

1 (f) An applicant may authorize one or more individuals who would not otherwise be authorized to do so to sign
2 applications for the applicant by filing with the director a power of attorney for each such individual. The power of
3 attorney shall be signed by a person who is authorized to sign applications under this Paragraph and shall contain the
4 signature of the individual being authorized to sign applications. The power of attorney shall be valid until revoked by
5 the applicant.

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7 *History Note: Authority G.S. 90-100; 90-102; 143B-147(a)(5);*

8 *Eff. June 30, 1978;*

9 *Amended Eff. January 1, 2005; May 1, 1990; May 15, 1979; September 30, ~~1978~~. 1978;*

10 *Recodified from 10A NCAC 26E .0111 to 10A NCAC 26E .0113 Eff. January 1, 2005.*